

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA,

Plaintiff,

v.

ANN ATCHISON WATERHOUSE, et al.,

Defendants.

Case No. [15-cv-03271-DMR](#)

**ORDER RE: PLAINTIFF'S DEPOSIT
INTERPLEADER FUNDS**

Re: Dkt. Nos. 5, 9

On July 14, 2015, Plaintiff filed a complaint in interpleader. On the same day, Plaintiff deposited interpleader funds in the amount of \$224,901.20 into the Court's registry. *See* Docket Nos. 5, 9.

Federal Rule of Civil Procedure 67(a) provides that "[i]f any part of the relief sought is a money judgment or the disposition of a sum of money or some other deliverable thing, a party—on notice to every other party and by leave of court—may deposit with the court all or part of the money or thing, whether or not that party claims any of it." Furthermore, "[t]he depositing party must deliver to the clerk a copy of the order permitting deposit." Fed. R. Civ. P. 67(a).

Plaintiff did not leave of the court prior to depositing the funds, as required by Rule 67(a). Nonetheless, the Court finds that Plaintiff's deposit of the funds into the Court's registry is otherwise proper, and the Court therefore **orders** as follows:

(1) Plaintiff is authorized to deposit the sum of **\$224,901.20** with the United States District Court for the Northern District of California.

(2) The Clerk of the Court shall deposit the funds into "an interest-bearing account or invested in a court-approved, interest-bearing instrument," *see* Fed. R. Civ. P. 67(b),

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1 until such time as the Court makes its order directing disbursement and distribution of
2 these funds.

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4 **IT IS SO ORDERED.**

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6 Dated: July 20, 2015



7 DONNA M. RYU
8 UNITED STATES MAGISTRATE JUDGE
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